

□ 1752

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# RECOGNIZING THE 100TH ANNIVERSARY YEAR OF THE FOUNDING OF THE PORT OF LOS ANGELES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 822, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. RICHARDSON) that the House suspend the rules and agree to the resolution, H. Res. 822, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 0, not voting 21, as follows:

[Roll No. 1133]

YEAS—410

Abercrombie	Calvert	Edwards
Ackerman	Camp (MI)	Ehlers
Aderholt	Campbell (CA)	Ellison
Akin	Cannon	Ellsworth
Alexander	Cantor	Emanuel
Allen	Capito	Emerson
Altmire	Capps	Engel
Andrews	Capuano	English (PA)
Arcuri	Cardoza	Eshoo
Baca	Carnahan	Etheridge
Bachmann	Carney	Everett
Bachus	Carter	Fallin
Baker	Castle	Farr
Baldwin	Castor	Fattah
Barrett (SC)	Chabot	Ferguson
Barrow	Clarke	Filner
Bartlett (MD)	Clay	Flake
Barton (TX)	Cleaver	Forbes
Bean	Clyburn	Fortenberry
Becerra	Coble	Fossella
Berkley	Cohen	Fox
Berman	Conaway	Frank (MA)
Berry	Conyers	Franks (AZ)
Biggert	Cooper	Frelinghuysen
Bilbray	Costa	Galleghy
Bilirakis	Costello	Garrett (NJ)
Bishop (GA)	Courtney	Gerlach
Bishop (NY)	Cramer	Giffords
Bishop (UT)	Crenshaw	Gilchrest
Blackburn	Crowley	Gillibrand
Blumenauer	Cuellar	Gingrey
Blunt	Culberson	Gohmert
Boehner	Cummings	Gonzalez
Bonner	Davis (AL)	Goode
Bono	Davis (CA)	Goodlatte
Boozman	Davis (IL)	Gordon
Boren	Davis (KY)	Granger
Boswell	Davis, David	Graves
Boucher	Davis, Lincoln	Green, Al
Boustany	Davis, Tom	Green, Gene
Boyd (FL)	Deal (GA)	Grijalva
Boyd (KS)	DeGette	Gutierrez
Brady (PA)	Delahunt	Hall (NY)
Brady (TX)	Dent	Hall (TX)
Braley (IA)	Diaz-Balart, L.	Hare
Brown (GA)	Diaz-Balart, M.	Harman
Brown (SC)	Dicks	Hastings (FL)
Brown, Corrine	Dingell	Hastings (WA)
Brown-Waite,	Doggett	Hayes
Ginny	Donnelly	Heller
Buchanan	Doolittle	Hensarling
Burgess	Doyle	Herger
Burton (IN)	Drake	Herseth Sandlin
Butterfield	Dreier	Higgins
Buyer	Duncan	Hill

Hinchey	McKeon	Sarbanes
Hirono	McMorris	Saxton
Hobson	Rodgers	Schakowsky
Hodes	McNerney	Schiff
Hoekstra	McNulty	Schmitt
Holden	Meek (FL)	Schwartz
Holt	Meeks (NY)	Scott (VA)
Honda	Melancon	Sensenbrenner
Hoyer	Mica	Serrano
Hulshof	Michaud	Sessions
Hunter	Miller (FL)	Sestak
Inglis (SC)	Miller (MI)	Shadegg
Inslee	Miller (NC)	Shays
Israel	Miller, George	Shea-Porter
Issa	Mitchell	Sherman
Jackson (IL)	Mollohan	Shimkus
Jefferson	Moore (KS)	Shuler
Johnson (GA)	Moore (WI)	Shuster
Johnson (IL)	Moran (KS)	Simpson
Johnson, E. B.	Moran (VA)	Sires
Johnson, Sam	Murphy (CT)	Skelton
Jones (NC)	Murphy, Patrick	Slaughter
Jones (OH)	Murphy, Tim	Smith (NJ)
Jordan	Musgrave	Smith (TX)
Kagen	Myrick	Smith (WA)
Kanjorski	Nadler	Snyder
Kaptur	Napolitano	Solis
Keller	Neal (MA)	Souder
Kennedy	Neugebauer	Space
Kildee	Oberstar	Spratt
Kilpatrick	Obey	Stark
Kind	Oliver	Stearns
King (IA)	Pallone	Stupak
King (NY)	Pascarell	Sullivan
Kingston	Pastor	Sutton
Kirk	Paul	Tanner
Klein (FL)	Payne	Tauscher
Kline (MN)	Pearce	Taylor
Knollenberg	Pence	Terry
Kucinich	Perlmutter	Thompson (CA)
Kuhl (NY)	Peterson (MN)	Thompson (MS)
LaHood	Peterson (PA)	Thornberry
Lamborn	Petri	Tiahrt
Lampson	Pickering	Tiberi
Langevin	Pitts	Tierney
Lantos	Platts	Towns
Larsen (WA)	Poe	Tsongas
Larson (CT)	Pomeroy	Turner
Latham	Porter	Udall (CO)
LaTourette	Price (GA)	Udall (NM)
Lee	Price (NC)	Upton
Levin	Pryce (OH)	Van Hollen
Lewis (CA)	Putnam	Velázquez
Lewis (GA)	Radanovich	Visclosky
Lewis (KY)	Rahall	Walberg
Linder	Ramstad	Walden (OR)
Lipinski	Rangel	Walsh (NY)
LoBiondo	Regula	Walz (MN)
Loeb sack	Rehberg	Wamp
Lofgren, Zoe	Reichert	Wasserman
Lowe	Renzi	Schultz
Lungren, Daniel	Reyes	Waters
E.	Reynolds	Watson
Lynch	Richardson	Watt
Mack	Rodriguez	Waxman
Mahoney (FL)	Rogers (AL)	Weiner
Maloney (NY)	Rogers (KY)	Welch (VT)
Manzullo	Rogers (MI)	Weldon (FL)
Marchant	Rohrabacher	Weller
Markey	Ros-Lehtinen	Westmoreland
Marshall	Roskam	Wexler
Matheson	Ross	Whitfield
Matsui	Rothman	Wicker
McCarthy (CA)	Roybal-Allard	Wilson (NM)
McCarthy (NY)	Royce	Wilson (OH)
McCaul (TX)	Ruppersberger	Wilson (SC)
McCollum (MN)	Rush	Wolf
McCotter	Ryan (OH)	Woolsey
McCrery	Ryan (WI)	Wu
McDermott	Salazar	Wynn
McGovern	Sali	Yarmuth
McHenry	Sánchez, Linda	Young (FL)
McHugh	T.	
McIntyre	Sanchez, Loretta	

## NOT VOTING—21

Baird	Hinojosa	Nunes
Carson	Hooley	Ortiz
Chandler	Jackson-Lee	Scott (GA)
Cole (OK)	(TX)	Smith (NE)
Cubin	Jindal	Tancred
DeFazio	Lucas	Young (AK)
DeLauro	Miller, Gary	
Feeney	Murtha	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that

there are 2 minutes remaining in this vote.

□ 1759

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# GRANTING AUTHORITY PROVIDED UNDER THE RULES OF THE HOUSE TO THE COMMITTEE ON EDUCATION AND LABOR FOR PURPOSES OF ITS INVESTIGATION INTO THE DEATHS OF 9 INDIVIDUALS THAT OCCURRED AT THE CRANDALL CANYON MINE NEAR HUNTINGTON, UTAH

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Report No. 110-473) on the resolution (H. Res. 836) granting the authority provided under clause 4(c)(3) of rule X of the Rules of the House of Representatives to the Committee on Education and Labor for purposes of its investigation into the deaths of nine individuals that occurred at the Crandall Canyon Mine near Huntington, Utah, which was referred to the House Calendar and ordered to be printed.

Ms. SLAUGHTER. I ask unanimous consent, Madam Speaker, for the immediate consideration of House Resolution 836.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 836

*Resolved,*

## SECTION 1. GRANTING INVESTIGATIVE AUTHORITY TO COMMITTEE ON EDUCATION AND LABOR.

The Committee on Education and Labor is granted the authority provided under clause 4(c)(3) of rule X of the Rules of the House of Representatives in furtherance of the investigation by such Committee into the deaths of 9 individuals that occurred during August 2007 at the Crandall Canyon Mine (also known as the Genwal Mine) near Huntington, Utah, including the events that may have led to those deaths and into the administration of relevant laws by government agencies, including the Department of Labor and the Mine Safety and Health Administration, and into other related matters.

Mr. McKEON. Madam Speaker, on August 6, 2007, a collapse at the Crandall Canyon mine in Utah took the lives of six miners. Days later, three rescuers were lost as well. We all grieved with this tragedy, and we all share a commitment to doing what we can to prevent such an event from happening in the future.

The Education and Labor Committee has initiated an investigation into possible causes of the collapse, as well as the handling of its aftermath by the mine ownership and Federal regulators. Our committee has at its disposal

significant tools and resources to conduct this investigation, including the power to hold hearings, demand documents, interview witnesses, and enter evidence into the record.

At the same time as our committee pursues its inquiry, there are a series of official investigations underway by the Department of Labor and the State of Utah. The investigations by the Mine Safety and Health Administration are of a law enforcement nature—if it is determined that criminal conduct occurred, they can at any time make a referral to the Department of Justice.

Although our committee investigation is still in its early stages, it has already been fruitful. In addition to the single hearing that has been held, we have requested—and the Department of Labor has produced—hundreds of thousands of pages of documents. We have conducted interviews with witnesses, and visited the site of the accident.

Despite the progress that has been made with our significant existing oversight capabilities, the majority today is seeking to confer on our committee the extraordinary power to subpoena witnesses for closed-door, staff-led depositions. This is an authority granted only in the rarest of circumstances, such as the protection of national security, the impeachment of a President, or the alleged defrauding of a national organization by its leadership.

I have serious reservations about establishment of deposition authority at this early stage of our investigation. The majority has not established any clear need for this authority. In fact, we are not aware of a single witness who has refused to cooperate with the committee after an official invitation. Moreover, while the majority has been unwilling to disclose exactly whose testimony this authority is intended to compel, they have indicated that just a handful of individuals are expected to require a subpoena. Members on our side of the aisle are more than willing to cooperate with regular committee procedures including hearings for this purpose, and as such, it remains unclear to me why this authority is necessary.

In addition to being premature and unnecessary, I believe this authority carries with it the possibility of grave unintended consequences. Deposition authority will allow dozens of interviews to be conducted under oath and compelled by subpoena. This could create the possibility of conflicts of interest, privilege claims and rulings, requests for immunity, leaks, and contradictory evidence.

Previous congressional probes should serve as a cautionary tale as we head down this path. Tactics used in the congressional investigation of the Iran-Contra affair caused key testimony against Oliver North to be thrown out, and his convictions to be overturned.

The Acting Solicitor of Labor voiced concerns that this investigation could similarly imperil any civil or criminal enforcement that may be necessary in this matter. In September, he wrote to Chairman MILLER and me, along with the leadership of the House, saying that the Committee's "parallel investigation . . . may compromise the integrity of MSHA's law enforcement investigation and potentially jeopardize its ability to enforce the law and hold violators accountable."

Up to this point, the majority has heeded our warnings and those of the Department of Labor. Our hearing and the series of interviews that have been conducted were structured in such a way as to avoid endangering

the investigations. I'm concerned that by granting this extraordinary deposition authority, the House is backing away from that cautious approach and rekindling the threat that our activities could undermine the aggressive enforcement that MSHA and other investigators have an obligation to pursue.

The deposition authority proposed today is crafted narrowly to cover only the Crandall Canyon mine collapse, and the rules adopted in our committee to govern these depositions were developed fairly to ensure the full participation of the minority. I believe these steps are acknowledgements by the majority that deposition authority is truly an extraordinary step, and must be undertaken with great care. I appreciate their cooperation on these points.

As I have made clear, there are serious questions about the timing and necessity of this narrowly crafted authority. Beyond that, however, I want to be perfectly clear that the specific authority being granted in this instance should in no way be viewed as precedent for future oversight functions of our committee or any committee of this House. Committee rules allow for a range of tools and resources that can be used to conduct rigorous oversight. Any effort to grant broader deposition authority will surely bring greater danger, and therefore greater objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Ms. SLAUGHTER. Madam Speaker, I ask UNANIMOUS consent that all Members have 5 legislative days within which to include extraneous materials into the RECORD on H. Res. 836.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

#### SUPPORT THE VETERANS TIMELY ACCESS TO HEALTH CARE ACT

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, this year I introduced H.R. 92, the Veterans Timely Access to Health Care Act. H.R. 92 makes a responsible and reasonable commitment to veterans throughout this country. Under the bill, if a veteran cannot get an appointment with a primary care physician within 30 days, that veteran may see a private physician at no additional cost. Unfortunately, the Veterans' Affairs Committee refuses to move my bill and allow the House of Representatives to vote on it.

This year, I have witnessed the majority leadership use veterans as a political pawn. They've held the Military Construction and Veterans appropriations bill hostage. I won't allow the same thing to happen with veterans access to health care.

I ask my colleagues, regardless of their party affiliation, to stand up and protect veterans as they once stood up to protect you. And I ask the leadership to move H.R. 92.

HOLD THIS ADMINISTRATION ACCOUNTABLE FOR TRYING TO LEAD US INTO WAR AGAINST IRAN

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Let's hope that the National Intelligence Estimate will stop the drumbeat of war against Iran. This administration knew full well that Iran did not have a nuclear weapons program in the same way that they knew that Iraq did not have weapons of mass destruction.

Now that Congress knows that the administration misled the Congress and brought Congress into voting time after time after time to isolate Iran, it's time for diplomatic relations, but it's also time for Congress to hold this administration accountable for trying to lead us into a war against Iran. It's time, once again, to start talking about the impeachment of the President and to act upon the impeachment of the Vice President for attempting to mislead us into a war against Iran.

#### HUMAN RIGHTS IN SAUDI ARABIA

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, in Saudi Arabia, seven men abducted a 19-year-old woman and her male companion. The seven men then raped the woman. And how does Saudi Arabia treat this rape victim? By ordering lashes and imprisonment for her because they blamed her for being alone with this male companion because he wasn't her spouse.

A Saudi Arabian court originally, listen to this, sentenced her to 90 lashes because she was alone with this individual. As if further victimization wasn't enough, the court just increased the victim's sentence to 200 lashes and 6 months in prison.

The Saudi Arabian Government now seeks to quell international outrage over this sentence by saying the woman was married at the time of the rape but she was with a nonrelative male companion who wasn't her spouse.

No explanation or excuse can justify this punishment for the victim. This woman was victimized by her own nation.

The Saudi Arabian court also removed the lawyer from the case and revoked his license because he spoke to the media. The lawyer now faces permanent disbarment. So much for freedom of speech.

Human rights seem to be absent in Saudi Arabia, because rape victims should not be sent to jail, and even lawyers should have the right of freedom of speech.

And that's just the way it is.